

Remarks/Arguments

Applicant's attorney held a telephone interview with the Examiner on January 9, 2006 and appreciates the Examiner's guidance. The following amendments submitted here were discussed and agreed to be sufficient to overcome the rejections to claims 5-7, 12, and 16-19, and to result in the allowance of those claims.

Claims 1-4 and 13-15 are cancelled without prejudice to presentation in a continuation application.

1. Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 1-7 and 12-19 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. The Examiner stated that the limitation "possibly a non-monetary component" rendered these claims indefinite.

In the interview, the Examiner agreed that the deletion of the word "possibly" would overcome the rejection. All of the pending claims have been rewritten so that they do not include the word "possibly." Dependent claims 5 and 16 have been rewritten in independent form so as not to include the word "possibly." Dependent claims 6-7 and 17-18, which depend from claims 5 and 16, respectively, do not include "possibly." Independent claims 12 and 19 have been amended to delete the word "possibly."

2. Rejections under 35 U.S.C. § 101

The Examiner has rejected claims 1-7 under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

In the interview, the Examiner stated that this rejection is moot in light of the Patent and Trademark Office's "Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility" dated October 26, 2005.

3. Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1-4 and 13-15 under 35 U.S.C. § 103(a) as being unpatentable over Michael J. Cook, AACE International Transactions, Morgantown: 1998, p. ES14, in view of U.S. patent no. 6,647,373.

Applicant has cancelled claims 1-4 and 13-15 without prejudice to presentation in a later continuation application.

Applicant has amended dependent claims 5 and 16 to rewrite them in independent form and to include all the limitation of claims 1-4 and 14-15, respectively, from which they depend.

4. Conclusion

Based on the amendments herein, claims 5-7, 12, and 16-19 are patentable. Applicant respectfully requests that the Examiner pass this case to issue.

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Respectfully submitted,

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